



General Assembly

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**Fifty-fourth session
Third Committee**

Agenda item 113

**Programme of activities of the International Decade of the World's
Indigenous People**

**Argentina, Australia, Bolivia, Brazil, Canada, Chile, Colombia, Costa Rica,
Croatia, Cyprus, Denmark, Ecuador, Estonia, Finland, France, Greece,
Guatemala, Iceland, Latvia, Mexico, Netherlands, Norway, Portugal, Spain
and Sweden: draft resolution**

International Decade of the World's Indigenous People

The General Assembly,

Recalling its resolution 53/129 of 9 December 1998 and previous resolutions on the International Decade of the World's Indigenous People,

Recalling also that the goal of the Decade is to strengthen international cooperation for the solution of problems faced by indigenous people in such areas as human rights, the environment, development, education and health and that the theme of the Decade is "Indigenous people: partnership in action",

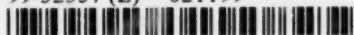
Recognizing the importance of consultation and cooperation with indigenous people in planning and implementing the programme of activities of the International Decade of the World's Indigenous People,¹ the need for adequate financial support from the international community, including support from within the United Nations system, and the need for adequate coordination and communication channels,

1. *Takes note* of the report of the Secretary-General on the implementation of the programme of activities of the International Decade of the World's Indigenous People;²

2. *Affirms its conviction* of the value and diversity of the cultures and forms of social organization of indigenous people and its conviction that the development of indigenous people within their countries will contribute to the socio-economic, cultural and environmental advancement of all the countries of the world;

¹ Resolution 50/157, annex.

² A/54/487 and Add. 1.



3. *Emphasize* the importance of strengthening the human and institutional capacity of indigenous people to develop their own solutions to their problems and in this context welcomes the holding of the workshop for research and higher education in Costa Rica in June 1999, and requests the Commission on Human Rights to consider the recommendations of the report of the workshop;

4. *Takes note* of the mid-term report of the United Nations High Commissioner for Human Rights, in her capacity as coordinator of the International Decade of the World's Indigenous Peoples,³ reviewing the implementation of the programme of activities of the International Decade, and of the information contained therein about the activities of the United Nations system, including specialized agencies and other intergovernmental organizations, relating to indigenous people, and urges all parties concerned to intensify their efforts to achieve the goals of the Decade;

5. *Requests* the United Nations High Commissioner for Human Rights, as coordinator of the International Decade of the World's Indigenous People:

(a) To continue to promote the objectives of the Decade, taking into account, in the fulfilment of her functions, the special concerns of indigenous people;

(b) To give due regard to the dissemination, from within existing resources and voluntary contributions, of information on the situation, cultures, languages, rights and aspirations of indigenous people and, in that context, to consider the possibility of organizing projects, special events, exhibitions and other activities addressed to the public, in particular to young people;

(c) To submit, through the Secretary-General, an annual report to the General Assembly on the implementation of the programme of activities of the Decade;

6. *Reaffirms* the adoption of a declaration on the rights of indigenous people as a major objective of the Decade, and underlines the importance of effective participation by indigenous representatives in the open-ended inter-sessional working group of the Commission on Human Rights established pursuant to Commission resolution 1995/32 of 3 March 1995;⁴

7. *Also reaffirms*, among the objectives of the Decade listed in the programme of activities, the consideration of the establishment of a permanent forum for indigenous people in the United Nations system;

8. *Urges* Governments to participate actively in the open-ended inter-sessional ad hoc working group that the Commission on Human Rights in its resolution 1999/52 of 27 April 1999⁵ decided to re-establish from within existing overall United Nations resources, which is to meet for eight working days prior to the fifty-sixth session of the Commission to submit, with a view to completing its task, one or more concrete proposals on the establishment of a permanent forum for indigenous people in the United Nations system;

9. *Decides* that the United Nations Voluntary Fund for Indigenous Populations, established according to General Assembly resolution 40/131 of 13 December 1985 and modified by Commission on Human Rights resolution 1995/32 and Assembly resolutions 50/156 of 21 December 1995 and 53/130 of 9 December 1998, should also be used to assist representatives of indigenous communities and organizations to participate in the

³ E/CN.4/1999/81.

⁴ See *Official Records of the Economic and Social Council, 1995, Supplement No. 3 and corrigenda* (E/1995/23 and Corr 1 and 2), chap. II, sect. A.

⁵ *Ibid.*, 1999, Supplement No. 3 (E/1999/23), chap. II, sect. A.

deliberations of the open-ended inter-sessional ad hoc working group of the Commission on Human Rights re-established according to Commission resolution 1999/52;

10. *Expresses its appreciation* to the Board of Trustees of the United Nations Voluntary Fund for Indigenous Populations for the work it has accomplished;

11. *Encourages* Governments to support the Decade by:

(a) Preparing relevant programmes, plans and reports in relation to the Decade, in consultation with indigenous people;

(b) Seeking means, in consultation with indigenous people, of giving indigenous people greater responsibility for their own affairs and an effective voice in decisions on matters that affect them;

(c) Establishing national committees or other mechanisms involving indigenous people to ensure that the objectives and activities of the Decade are planned and implemented on the basis of full partnership with indigenous people;

(d) Contributing to the United Nations Trust Fund for the International Decade for the World's Indigenous People;

(e) Contributing, together with other donors, to the United Nations Voluntary Fund for Indigenous Populations in order to assist indigenous representatives in participating in the Working Group on Indigenous Populations of the Subcommission on Prevention of Discrimination and Protection of Minorities of the Commission on Human Rights, the open-ended inter-sessional working group charged with developing a draft declaration on the rights of indigenous people and the re-established open-ended inter-sessional ad hoc working group on the possible establishment of a permanent forum for indigenous people;

(f) Considering contributing, as appropriate, to the Fund for the Development of Indigenous Peoples in Latin America and the Caribbean, in support for the goals of the Decade;

(g) Identifying resources for activities designed to implement the goals of the Decade, in cooperation with indigenous people and intergovernmental and non-governmental organizations;

12. *Welcomes* the offer of the Government of Spain to host in Seville in February 2000 the first meeting of the ad hoc open-ended inter-sessional working group on article 8 (j) of the Convention on Biological Diversity⁶ regarding the traditional knowledge, innovations and practices of indigenous and local communities, and encourages Governments to include representatives of indigenous and local communities in their delegations to the meeting;

13. *Invites* United Nations financial and developmental institutions, operational programmes and the specialized agencies, as well as other regional and international organizations, in accordance with the existing procedures of their governing bodies:

(a) To give increased priority and resources to improving the conditions of indigenous people, with particular emphasis on the needs of those people in developing countries, including through the preparation of specific programmes of action for the implementation of the goals of the Decade, within their areas of competence;

⁶ See United Nations Environment Programme, *Convention on Biological Diversity* (Environmental Law and Institution Programme Activity Centre), June 1992.

(b) To launch special projects, through appropriate channels and in cooperation with indigenous people, to strengthen their community-level initiatives and to facilitate the exchange of information and expertise among indigenous people and other relevant experts;

(c) To designate focal points for coordination of activities related to the Decade with the Office of the United Nations High Commissioner for Human Rights;

and commends those institutions, programmes, agencies and regional and international organizations that have already done so;

14. *Recommends* that the Secretary-General ensure coordinated follow-up to the recommendations concerning indigenous people of relevant United Nations conferences, namely, the World Conference on Human Rights, held in Vienna from 14 to 25 June 1993, the United Nations Conference on Environment and Development, held in Rio de Janeiro, Brazil, from 3 to 14 June 1992, the International Conference on Population and Development, held in Cairo from 5 to 13 September 1994, the Fourth World Conference on Women, held in Beijing from 4 to 15 September 1995, the World Summit for Social Development, held in Copenhagen from 6 to 12 March 1995, the United Nations Conference on Human Settlements (Habitat II), held in Istanbul, Turkey, from 3 to 14 June 1996, and the World Food Summit, held in Rome from 13 to 17 November 1996, and other relevant international conferences;

15. *Requests* the United Nations High Commissioner for Human Rights to submit, through the Secretary-General, a report on the implementation of the programme of activities of the Decade to the General Assembly at its fifty-fifth session;

16. *Decides* to include in the provisional agenda of its fifty-fifth session the item entitled "Programme of activities of the International Decade of the World's Indigenous People".



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Fifty-fourth session

Third Committee

Agenda item 112

Promotion and protection of the rights of children

Afghanistan, Andorra, Angola, Argentina, Australia, Bahamas, Bangladesh, Barbados, Belgium, Benin, Botswana, Brazil, Bulgaria, Burkina Faso, Canada, Cape Verde, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Democratic Republic of the Congo, Dominican Republic, Ecuador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Finland, France, Germany, Ghana, Guatemala, Guinea, Guyana, Haiti, Hungary, Iceland, Ireland, Italy, Kenya, Lesotho, Liberia, Liechtenstein, Luxembourg, Malawi, Malaysia, Mali, Mauritius, Monaco, Mozambique, Namibia, Nepal, Netherlands, Nigeria, Norway, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Romania, Rwanda, Saint Lucia, Senegal, Seychelles, Singapore, Slovenia, Solomon Islands, South Africa, Suriname, Swaziland, Sweden, the former Yugoslav Republic of Macedonia, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Zambia and Zimbabwe: draft resolution

The girl child

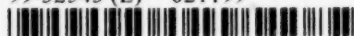
The General Assembly,

Recalling its resolution 53/127 of 9 December 1998 and all previous relevant resolutions, including the agreed conclusions of the Commission on the Status of Women,¹ in particular those relevant to the girl child,

Recalling also all relevant previous United Nations conferences and the Declaration and Agenda for Action of the World Congress against Commercial Sexual Exploitation of Children, held at Stockholm from 27 to 31 August 1996,² including the recent five-year review of the implementation of the Programme of Action of the International Conference on Population and Development,

¹ Official Records of the Economic and Social Council, 1999, Supplement No. 7 (E/1999/27), chap. I, sect. IV.

² A/51/385, annex.



Deeply concerned about discrimination against the girl child and the violation of the rights of the girl child, which often result in less access for girls to education, nutrition, physical and mental health care and in girls enjoying fewer of the rights, opportunities and benefits of childhood and adolescence than boys and often being subjected to various forms of cultural, social, sexual and economic exploitation and to violence and harmful practices such as female infanticide, incest, early marriage, prenatal sex selection and female genital mutilation,

Recognizing the need to achieve gender equality so as to ensure a just and equitable world for girls,

Deeply concerned that, in situations of poverty, war and armed conflict, girl children are among the victims most affected and that thus their potential for full development is limited,

Concerned that the girl child has furthermore become a victim of sexually transmitted diseases and the human immunodeficiency virus, which affects the quality of her life and leaves her open to further discrimination,

Noting that 1999 is the tenth anniversary of the Convention on the Rights of the Child³ and the twentieth anniversary of Convention on the Elimination of All Forms of Discrimination,⁴

Reaffirming the equal rights of women and men as enshrined, *inter alia*, in the Preamble to the Charter of the United Nations, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child,

1. *Stresses* the need for full and urgent implementation of the rights of the girl child as guaranteed to her under all human rights instruments, including the Convention on the Rights of the Child³ and the Convention on the Elimination of All Forms of Discrimination against Women,⁴ as well as the need for universal ratification of those instruments;

2. *Urges* all States to take all necessary measures and to institute legal reforms to ensure the full and equal enjoyment by the girl child of all human rights and fundamental freedoms, to take effective action against violations of those rights and freedoms and to base programmes and policies for the girl child on the rights of the child;

3. *Urges* States to enact and strictly enforce laws to ensure that marriage is entered into only with the free and full consent of the intending spouses, to enact and strictly enforce laws concerning the minimum legal age of consent and the minimum age for marriage and to raise the minimum age for marriage where necessary;

4. *Also urges* all States to fulfil obligations they have under the Convention on the Rights of the Child and the Convention on the Elimination of all Forms of Discrimination against Women as well as the commitment to implement the Platform of Action of the Fourth World Conference on Women;⁵

5. *Further urges* all States to enact and enforce legislation to protect girls from all forms of violence, including female infanticide and prenatal sex selection, female genital mutilation, rape, domestic violence, incest, sexual abuse, sexual exploitation, child prostitution and child pornography, and to develop age-appropriate safe and confidential

³ Resolution 44/25, annex.

⁴ Resolution 34/180, annex.

⁵ *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex I.

programmes and medical, social and psychological support services to assist girls who are subjected to violence;

6. *Calls upon* all States and international and non-governmental organizations, individually and collectively to further implement the Platform for Action of the Fourth World Conference on Women, in particular the strategic objectives relating to the girl child;

7. *Urges* States to take special measures for the protection of children, in particular to protect girls from rape and other forms of sexual abuse and gender-based violence in situations of armed conflict, paying special attention to refugee and displaced girls and taking into account the special needs of the girl child in the delivery of humanitarian assistance;

8. *Also urges* States to formulate comprehensive, multidisciplinary and coordinated national plans, programmes or strategies to eliminate all forms of violence against women and girls, which should be widely disseminated and should provide targets and timetables for implementation, as well as effective domestic enforcement procedures through the establishment of monitoring mechanisms involving all parties concerned, including consultations with women's organizations, giving attention to the recommendations relating to the girl child of the Special Rapporteur of the Commission on Human Rights on violence against women, its causes and consequences;

9. *Calls upon* Governments, civil society, including the media, and non-governmental organizations, to promote human rights education and the full respect for and enjoyment of the human rights of the girl child, *inter alia*, through the translation, production and dissemination of age-appropriate information materials on these rights to all sectors of society, in particular to children;

10. *Requests* the Secretary-General, as Chairman of the Administrative Committee on Coordination, to ensure that all organizations and bodies of the United Nations system, individually and collectively, in particular the United Nations Children's Fund, the United Nations Educational, Scientific and Cultural Organization, the World Food Programme, the United Nations Population Fund, the United Nations Development Fund for Women, the World Health Organization and the Office of the United Nations High Commissioner for Refugees, take into account the rights and the particular needs of the girl child in the country programme of cooperation in accordance with the national priorities, including through the United Nations Development Assistance Framework;

11. *Requests* all human rights treaty bodies, special procedures and other human rights mechanisms of the Commission on Human Rights and the Subcommission on the Promotion and Protection of Human Rights of the Commission on Human Rights to adopt regularly and systematically a gender perspective in the implementation of their mandates and to include in their reports information on the qualitative analysis of violations of human rights of women and girls, and encourages the strengthening of cooperation and coordination in that regard;

12. *Calls upon* States and international and non-governmental organizations to mobilize all necessary resources, support and efforts to realize the goals, strategic objectives and actions set out in the Platform for Action of the Fourth World Conference on Women;

13. *Stresses* the importance of a substantive assessment of the implementation of the Platform for Action with a life cycle perspective so as to identify gaps and obstacles in the implementation process and to develop further actions for the achievement of the goals of the Programme for Action;

14. *Calls upon* Governments, the United Nations system, in particular the Division for the Advancement of Women, non-governmental organizations and women's organizations to ensure that, in the preparation for the special session of the General Assembly entitled "Women 2000: gender, equality, development and peace for the twenty-first century", the needs and rights of the girl child are duly taken into account and integrated into all activities;

15. *Requests* the Secretary-General to ensure that the needs and the rights of the girl child are specifically assessed in the five-year review of the Programme of Action of the World Summit for Social Development, to be held in June 2000;

16. *Also requests* the Secretary-General, in consultation with the United Nations Development Programme, the United Nations Educational, Scientific and Cultural Organization, the United Nations Population Fund, the United Nations Children's Fund and the World Bank, to ensure that the needs and the rights of the girl child are given special attention in all preparatory processes at the national, regional and international levels, including the Education for All 2000 Assessment⁶ and the agenda of the World Education Forum, to be held in April 2000;

17. *Further requests* the Secretary-General to ensure that the needs and the rights of the girl child are integrated in the preparatory work of the special session of the General Assembly on the follow-up to the World Summit for Children in 2001, *inter alia*, by providing the General Assembly with a comprehensive report drawing on the experiences and outcomes of the five-year reviews of the International Conference on Population and Development, the Fourth World Conference on Women and the World Summit for Social Development, and the World Education Forum.

⁶ See A/54/128-E/1999/70.



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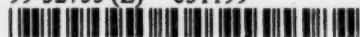
Human rights questions: implementation of human rights instruments

**Islamic Republic of Iran, Jamaica, Nigeria, Pakistan, Qatar, Saint Lucia,
Saudi Arabia, Singapore and Suriname: proposed amendment to draft
resolution A/C.3/54/L.8**

Question of the death penalty

After the sixth preambular paragraph, insert the following preambular paragraph:

Affirming that all persons have the right to security of person and protection by the State against violence or bodily harm.





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Agenda item 116 (a)

Human rights questions: implementation of human rights instruments

Singapore: proposed amendment to draft resolution A/C.3/54/L.8

Question of the death penalty

Replace operative paragraph 3 with the following:

3. *Invites* all States to consider:

(a) Restricting the number of offences for which the death penalty may be imposed to most serious only and in accordance with the law in force at the time of the commission of the offence;

(b) Ensuring that the death penalty can only be carried out pursuant to a final judgement rendered by a competent court;

(c) Making available to the public information with regard to the imposition of the death penalty.





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Agenda item 112

Promotion and protection of the rights of children

Andorra, Armenia, Australia, Austria, Bangladesh, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Egypt, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Kazakhstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Malaysia, Monaco, Mongolia, Namibia, Netherlands, Nigeria, Norway, Pakistan, Peru,* Philippines, Poland, Portugal, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Tunisia, Ukraine, United Kingdom of Great Britain and Northern Ireland, Venezuela:
draft resolution

The rights of the child

The General Assembly,

Recalling its resolutions 53/128 and 53/127 of 9 December 1998 and Commission on Human Rights resolution 1999/80 of 28 April 1999,

Bearing in mind the Convention on the Rights of the Child,¹ emphasizing that the provisions of the Convention and other relevant human rights instruments must constitute the standard in the promotion and protection of the rights of the child, and reaffirming that the best interest of the child shall be the primary consideration in all actions concerning children,

Reaffirming the World Declaration on the Survival, Protection and Development of Children and the Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s adopted by the World Summit for Children held in New York on 29 and 30 September 1990,² notably the solemn commitment to give high priority to the rights of children, to their survival and to their protection and

* On behalf of the States Members of the United Nations that are members of the Group of Latin American and Caribbean States.

¹ Resolution 44/25, annex.

² A/45/625, annex.



development, and reaffirming also the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993,³ which, *inter alia*, states that national and international mechanisms and programmes for the defence and protection of children, in particular those in especially difficult circumstances, should be strengthened, including through effective measures to combat exploitation and abuse of children, such as female infanticide, harmful child labour, sale of children and organs, child prostitution and child pornography, and which reaffirms that all human rights and fundamental freedoms are universal,

Profoundly concerned that the situation of girls and boys in many parts of the world remains critical as a result of poverty, inadequate social and economic conditions in an increasingly globalized world economy, pandemics, natural disasters, armed conflicts, displacement, exploitation, illiteracy, hunger, intolerance, discrimination and inadequate legal protection, and convinced that urgent and effective national and international action is called for,

Underlining the need for mainstreaming a gender perspective into all policies and programmes relating to children,

Recognizing the need for the realization of a standard of living adequate for the child's physical, mental, spiritual, moral and social development, as well as the provision of universal and equal access to primary education,

Recognizing also that partnership between Governments, international organizations and all sectors of civil society, in particular non-governmental organizations, is important to realizing the rights of the child,

Emphasizing the importance of the tenth anniversary of the Convention on the Rights of the Child for mobilizing and taking further action towards the full realization of the rights of the child,

Welcoming the preparations for the special session of the General Assembly on the follow-up to the World Summit for Children in 2001,

I

Implementation of the Convention on the Rights of the Child

1. *Once again urges* the States that have not yet done so to sign and ratify or accede to the Convention on the Rights of the Child¹ as a matter of priority, with a view to reaching the goal of universal adherence by the tenth anniversaries, in 2000, of both the World Summit for Children² and the entry into force of the Convention;

2. *Reiterates its concern* at the great number of reservations to the Convention, and urges States parties to withdraw reservations incompatible with the object and purpose of the Convention and to regularly review any reservations with a view to withdrawing them;

3. *Calls upon* States parties to implement fully the Convention, and stresses that the implementation of the Convention contributes to the achievement of the goals of the World Summit for Children;

4. *Urges* States to involve children and youth in their efforts to implement the goals of the World Summit for Children and the Convention on the Rights of the Child;

5. *Calls upon* States parties to cooperate closely with the Committee on the Rights of the Child and to comply in a timely manner with their reporting obligations under the

³ A/CONF.157/24 (Part I), chap. III.

Convention, in accordance with the guidelines elaborated by the Committee, and encourages States parties to take into account the recommendations made by the Committee in the implementation of the provisions of the Convention;

6. *Also calls upon* States parties to encourage training on the rights of the child for those involved in activities concerning children, for example through the programme of advisory services and technical cooperation in the field of human rights;

7. *Requests* the Secretary-General to ensure the provision of appropriate staff and facilities for the effective and expeditious performance of the functions of the Committee, and takes note of the temporary support given by the plan of action of the United Nations High Commissioner for Human Rights to strengthen the important role of the Committee in advancing the implementation of the Convention on the Rights of the Child, and to make available information on the follow-up to the plan of action;

8. *Calls upon* States parties to the Convention to urgently take appropriate measures so that acceptance of the amendment to paragraph 2 of article 43 of the Convention by a two-thirds majority of States parties can be reached as soon as possible, in order for the amendment to enter into force, increasing the membership of the Committee from ten to eighteen experts;

9. *Invites* the Committee on the Rights of the Child to continue to enhance its constructive dialogue with the States parties and its transparent and effective functioning;

10. *Welcomes* the attention given by the Committee to the realization of the highest attainable standards of health and access to health care, and to the rights of children affected by human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS) and urges Governments, in cooperation with relevant United Nations bodies and organizations, to adopt all appropriate measures with a view to the realization of all their rights;

11. *Calls upon* States to protect all human rights of migrant children, in particular unaccompanied migrant children, and to ensure that the best interest of the child shall accordingly be a primary consideration, and encourages the Committee on the Rights of the Child, the United Nations Children's Fund as well as other relevant United Nations bodies, within their respective mandates, to pay particular attention to the conditions of migrant children in all States, and as appropriate, to make recommendations to strengthen their protection;

12. *Recommends* that, within their mandates, all relevant human rights mechanisms and all other relevant organs and mechanisms of the United Nations system and the supervisory bodies of the specialized agencies pay attention to particular situations in which children are in danger and where their rights are violated and that they take into account the work of the Committee on the Rights of the Child, and encourages the further development of the rights-based approach adopted by the United Nations Children's Fund and further steps to increase system-wide coordination and inter-agency cooperation for the promotion and protection of the rights of the child;

13. *Encourages* the Committee, in monitoring the implementation of the Convention, to continue to pay attention to the needs of children in especially difficult circumstances;

14. *Encourages* Governments, relevant United Nations bodies as well as relevant non-governmental organizations and child rights advocates to contribute to, as appropriate, to the web-based database launched by the United Nations Children's Fund, in order to continue to provide information on laws, structures, policies and processes adopted at the national level to translate the Convention on the Rights of the Child into practice;

II

Prevention and eradication of the sale of children and of their sexual exploitation and abuse, including child prostitution and child pornography

1. *Welcomes* the interim report of the Special Rapporteur of the Commission on Human Rights on the sale of children, child prostitution and child pornography,⁴ and expresses its support for her work;
2. *Requests* the Secretary-General to provide the Special Rapporteur with all necessary human and financial assistance to enable her to discharge her mandate fully;
3. *Invites* further voluntary contributions through the Office of the United Nations High Commissioner for Human Rights and support to be provided for the work of the Special Rapporteur for the effective fulfilment of her mandate;
4. *Strongly supports* the work of the open-ended inter-sessional working group of the Commission on Human Rights on the elaboration of a draft optional protocol to the Convention on the Rights of the Child related to the sale of children, child prostitution and child pornography, and urges the working group to finalize its work before the tenth anniversary of the entry into force of the Convention on the Rights of the Child in 2000;
5. *Reaffirms* the obligation of States parties to prevent the abduction of, sale of or trafficking in children for any purpose or in any form and to protect the child from all forms of sexual exploitation or abuse, in accordance with articles 35 and 34 of the Convention on the Rights of the Child;
6. *Calls upon* States to criminalize and effectively penalize all forms of sexual exploitation and sexual abuse of children, including within the family or for commercial purposes, child pornography and child prostitution, including child sex tourism, while ensuring that the children victims of such practices are not penalized, and to take effective measures to ensure the prosecution of offenders, whether local or foreign, by the competent national authorities, either in the offender's country of origin or in the country of destination, in accordance with due process of law;
7. *Also calls upon* States, in cases of child sex tourism, to enhance international cooperation among all relevant authorities, in particular law enforcement authorities, including sharing relevant data, in order to eradicate this practice;
8. *Requests* States to increase cooperation and concerted action, at the national, regional and international levels, including in the context of the United Nations, by all relevant authorities and institutions, in order to adopt and implement effective measures for the prevention and eradication of the sale of children and of their sexual exploitation and abuse and to prevent and dismantle networks trafficking in children;
9. *Stresses* the need to combat the existence of a market that encourages such criminal practices against children, including through preventive and enforcement measures targeting customers or individuals who sexually exploit or sexually abuse children;
10. *Also calls upon* States to enact and enforce, review and revise, as appropriate, laws, and implement policies, programmes and practices to protect children from and to eliminate all forms of sexual exploitation and abuse, including commercial sexual exploitation, taking into account the particular problems posed by the use of the Internet in this regard;

⁴ A/54/411.

11. *Encourages* Governments to facilitate the active participation of child victims of sexual exploitation or abuse in the development and implementation of strategies to protect children from sexual exploitation and abuse;

12. *Encourages* continued regional and interregional efforts, with the objective of identifying best practices and issues requiring particularly urgent action, to follow up the implementation of the measures in line with those outlined in the Declaration and Agenda for Action of the World Congress against Commercial Sexual Exploitation of Children held at Stockholm, from 27 to 31 August 1996;⁵

13. *Invites* States and relevant United Nations bodies and agencies to allocate appropriate resources for rehabilitation of child victims of sexual exploitation and abuse and to take all appropriate measures to promote their full recovery and social reintegration;

III

Protection of children affected by armed conflict

1. *Welcomes* the report of the Special Representative of the Secretary-General on the impact of armed conflict on children;⁶

2. *Expresses its support* for the work of the Special Representative of the Secretary-General, in particular in raising worldwide awareness and mobilizing official and public opinion for the protection of children affected by armed conflict, in order to promote respect for children's rights and needs in conflict and post-conflict situations, and recommends that the Secretary-General extend his mandate, as established in paragraphs 35, 36 and 37 of General Assembly resolution 51/77 of 12 December 1996, for a further period of three years;

3. *Urges* the Secretary-General and all relevant parts of the United Nations system, including the Special Representative and the United Nations Children's Fund, to intensify their efforts to develop a concerted approach to the rights, protection and welfare of children affected by armed conflict, including, as appropriate, in the preparations of the field visits of the Special Representative and in the follow-up to such visits;

4. *Calls upon* all States and other parties concerned to continue to cooperate with the Special Representative, to implement the commitments they have undertaken and to consider carefully all the recommendations of the Special Representative and address the issues identified;

5. *Welcomes* the continued support and voluntary contributions that are being provided to the work of the Special Representative;

6. *Urges* all States and other parties to armed conflict to respect international humanitarian law, to put an end to any form of targeting of children and to attacking sites that usually have a significant presence of children, calls upon States parties to respect fully the provisions of the Geneva Conventions of 12 August 1949⁷ and the additional protocols thereto of 1977,⁸ and calls upon all parties to armed conflict to take all measures required to protect children from acts constituting violations of international humanitarian law, including prosecution by States, within their national legal framework, of those responsible for such violations;

⁵ A/51/385, annex.

⁶ A/54/430.

⁷ United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

⁸ *Ibid.*, vol. 1125, Nos. 17512 and 17513.

7. *Recognizes*, in this regard, the contribution of the establishment of the International Criminal Court to ending impunity for perpetrators of certain crimes committed against children, as defined in the Rome Statute of the International Criminal Court,⁹ which include, *inter alia*, those involving sexual violence or child soldiers, and thus to the prevention of such crimes;

8. *Condemns* the abduction of children in situations of armed conflict and into armed conflicts, and urges States, international organizations and other concerned parties to take all appropriate measures to secure the unconditional release of all abducted children, and urges States to bring the perpetrators to justice;

9. *Notes* the importance of the second open debate, held in the Security Council on 25 August 1999, on children and armed conflict and the undertaking by the Council to give special attention to the protection, welfare and rights of children when taking action aimed at maintaining peace and security, and reaffirms the essential role of the General Assembly and the Economic and Social Council for the promotion and protection of rights and welfare of children;

10. *Calls upon* all parties to armed conflicts to ensure the full, safe and unhindered access of humanitarian personnel and the delivery of humanitarian assistance to all children affected by armed conflict;

11. *Welcomes* the decision by the Economic and Social Council to call for systematic, concerted and comprehensive inter-agency efforts on behalf of children as well as adequate and sustainable resource allocation to provide both the immediate emergency assistance and long-term measures to children throughout all phases of an emergency;

12. *Urges* States and all other parties to armed conflict to end the use of children as soldiers and to ensure their demobilization and effective disarmament, and to implement effective measures for the rehabilitation, physical and psychological recovery and reintegration into society of all child victims in cases of armed conflict, and invites the international community to assist in this endeavour and emphasizes that no support which enables or contributes to the use of child soldiers should be given to those who use child soldiers;

13. *Calls upon* States and relevant United Nations bodies to continue to support national and international mine action efforts, including by financial contributions, mine awareness programmes, victim assistance and child centred rehabilitation, and welcomes also the positive effects on children of concrete legislative measures with respect to anti-personnel mines;

14. *Notes with concern* the impact of small arms and light weapons on children in situations of armed conflict, in particular as a result of their illicit production and traffic, and calls upon States to address this problem;

15. *Recommends* that whenever sanctions are imposed their impact on children be assessed and monitored and that humanitarian exemptions be child-focused and formulated with clear guidelines for their application;

16. *Calls upon* States, relevant United Nations bodies and agencies and regional organizations to integrate the rights of the child into all activities in conflict and post-conflict situations, including training programmes and emergency relief operations, country programmes and field operations aimed at promoting peace, preventing and resolving conflicts as well as negotiating and implementing peace agreements, and, given the long-

⁹ See A/CONF.183/9, art. 8.

term consequences for society, underlines the importance of including specific provisions for children, including resourcing, in peace agreements and in arrangements negotiated by parties;

17. *Welcomes* the ongoing efforts by, *inter alia*, regional organizations, intergovernmental organizations and non-governmental organizations, to bring to an end the use of children as soldiers in armed conflicts, and reaffirms the urgent need to raise the current minimum age-limit set by article 38 of the Convention on the Rights of the Child on the recruitment and participation of any person in armed conflicts with the aim to end the use of child soldiers;

18. *Strongly supports* the work of the open-ended inter-sessional working group of the Commission on Human Rights on the elaboration of a draft optional protocol to the Convention on the Rights of the Child related to the involvement of children in armed conflict, and the consultations conducted by the chairperson of the working group in order to make further progress with the aim of finalizing its work before the tenth anniversary of the entry into force of the Convention on the Rights of the Child;

IV

Refugee and internally displaced children

1. *Urges* Governments to improve the implementation of policies and programmes for the protection, care and well-being of refugee and internally displaced children, with the necessary international cooperation, in particular with the Office of the United Nations High Commissioner for Refugees, the United Nations Children's Fund and the representative of the Secretary-General on internally displaced persons, in accordance with the obligations under the Convention on the Rights of the Child;

2. *Calls upon* all States and other parties to armed conflicts, as well as United Nations bodies and organizations, to give urgent attention, in terms of protection and assistance, to the fact that refugee and internally displaced children are particularly exposed to risks in connection with armed conflicts, such as being forcibly recruited or subjected to sexual violence, abuse or exploitation;

3. *Expresses its deep concern* about the growing number of unaccompanied refugee and internally displaced children, and calls upon all States and United Nations bodies and agencies and other relevant organizations to give priority to programmes for family tracing and reunification and to continue to monitor the care arrangements for unaccompanied refugee and internally displaced children;

V

Progressive elimination of child labour

1. *Reaffirms* the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development;

2. *Welcomes* the adoption by the International Labour Organization, at the eighty-seventh session of the International Labour Conference, held at Geneva from 1 to 17 June 1999, of the Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, Convention No. 182, and encourages all States to consider ratifying it as a matter of priority with a view to its entry into force as soon as possible;

3. *Calls upon* all States that have not yet done so to consider ratifying the conventions of the International Labour Organization relating to child labour, in particular the Convention concerning Forced or Compulsory Labour, 1930, Convention No. 29, and the Convention concerning Minimum Age for Admission to Employment, 1973, Convention No. 138, and to implement those Conventions;

4. *Calls upon* all States to translate into concrete action their commitment to the progressive and effective elimination of child labour contrary to accepted international standards, and urges them, *inter alia*, to immediately eliminate the worst forms of child labour as set out in the new International Labour Organization Convention No. 182;

5. *Also calls upon* all States to systematically assess and examine the magnitude, nature and causes of child labour and to elaborate and implement strategies for the elimination of child labour contrary to accepted international standards, giving special attention to specific dangers faced by girls, as well as to the rehabilitation and social reintegration of the children concerned;

6. *Recognizes* that primary education is one of the main instruments for reintegrating child workers, and calls upon all States to recognize the right to education by making primary education compulsory and to ensure that all children have access to free primary education as a key strategy to prevent child labour, and recognizes, in particular, the important role of the United Nations Educational, Scientific and Cultural Organization and the United Nations Children's Fund in this regard;

7. *Calls upon* all States and the United Nations system to strengthen international cooperation as a means of assisting Governments in preventing or combating violations of the rights of the child and in attaining the objective of the elimination of child labour contrary to accepted international standards;

8. *Calls upon* all States to strengthen cooperation and coordination at the national and the international level to address effectively the problem of child labour, also in close cooperation, *inter alia*, with the International Labour Organization and the United Nations Children's Fund;

VI

The plight of children working and/or living on the streets

1. *Calls upon* Governments to seek comprehensive solutions to the problems causing children to work and/or live on the streets, and to implement appropriate programmes and policies for the protection and the rehabilitation and reintegration of these children, taking into account that such children are particularly vulnerable to all forms of violence, abuse, exploitation and neglect;

2. *Calls upon* all States to ensure that services are provided for children to divert them from, and address the economic imperatives for, involvement in harmful, exploitative and abusive activity;

3. *Strongly urges* all Governments to guarantee the respect for all human rights and fundamental freedoms, in particular the right to life, to take urgent and effective measures to prevent the killing of children living and/or working on the streets, to combat torture and abusive treatment and violence against them and to bring the perpetrators to justice;

4. *Calls upon* the international community to support, through effective international cooperation, including technical advice and assistance, the efforts of States to improve the situation of children working and/or living on the streets;

VII**Children with disabilities**

1. *Welcomes the establishment of a working group, following the decision by the Committee on the Rights of the Child, with the aim of elaborating a plan of action on children with disabilities, in close cooperation with the Special Rapporteur on Disability of the Commission for Social Development and other relevant parts of the United Nations system;*
2. *Calls upon all States to take all necessary measures to ensure the full and equal enjoyment of all human rights and fundamental freedoms by children with disabilities and to develop and enforce legislation against their discrimination;*
3. *Also calls upon all States to promote for children with disabilities a full and decent life, in conditions which ensure dignity, promote self-reliance and facilitate the child's active participation in the community, including effective access to education and health services;*

VIII*Decides:*

- (a) To request the Secretary-General to submit a report on the rights of the child to the General Assembly at its fifty-fifth session containing information on the status of the Convention on the Rights of the Child and the problems addressed in the present resolution;
 - (b) To request the Special Representative of the Secretary-General for Children and Armed Conflict to submit to the General Assembly and the Commission on Human Rights reports containing relevant information on the situation of children affected by armed conflict, bearing in mind existing mandates and reports of relevant bodies;
 - (c) To continue its consideration of this question at its fifty-fifth session under the item entitled "Promotion and protection of the rights of the child".
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Third Committee

Agenda item 116 (a)

Human rights questions: implementation of human rights instruments

Argentina, Australia, Austria, Belgium, Bulgaria, Canada, Chile, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Moldova, Romania, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America and Venezuela: draft resolution

Torture and other cruel, inhuman or degrading treatment or punishment

The General Assembly,

Recalling article 5 of the Universal Declaration of Human Rights,¹ article 7 of the International Covenant on Civil and Political Rights,² the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment³ and its resolution 39/46 of 10 December 1984, by which it adopted and opened for signature, ratification and accession the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and all its subsequent relevant resolutions,

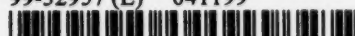
Recalling that freedom from torture is a right that must be protected under all circumstances, including in times of internal or international disturbance or armed conflict,

Recalling also that the World Conference on Human Rights, held in Vienna from 14 to 25 June 1993, firmly declared that efforts to eradicate torture should, first and foremost, be concentrated on prevention and called for the early adoption of an optional protocol to

¹ Resolution 217 A (III).

² See resolution 2200 A (XXI), annex.

³ Resolution 3452 (XXX), annex.



the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which is intended to establish a preventive system of regular visits to places of detention,⁴

Urging all Governments to promote the speedy and full implementation of the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993,⁵ in particular the section relating to freedom from torture, in which it is stated that States should abrogate legislation leading to impunity for those responsible for grave violations of human rights, such as torture, and prosecute such violations, thereby providing a firm basis for the rule of law,⁶

Recalling its resolution 36/151 of 16 December 1981, in which it noted with deep concern that acts of torture took place in various countries, recognized the need to provide assistance to the victims in a purely humanitarian spirit and established the United Nations Voluntary Fund for Victims of Torture,

Recalling also the recommendation in the Vienna Declaration and Programme of Action that high priority should be given to providing the necessary resources to assist victims of torture and effective remedies for their physical, psychological and social rehabilitation, *inter alia*, by additional contributions to the Fund,⁷

Noting with satisfaction the existence of a considerable international network of centres for the rehabilitation of torture victims, which plays an important role in providing assistance to victims of torture, and the collaboration of the Fund with the centres,

Mindful of the proclamation by the General Assembly in its resolution 52/149 of 12 December 1997 of 26 June as United Nations International Day in Support of Victims of Torture,

1. *Welcomes* the work of the Committee against Torture, and takes note of the report of the Committee,⁸ submitted in accordance with article 24 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

2. *Notes with appreciation* that one hundred and eighteen States have become parties to the Convention;

3. *Urges* all States that have not yet done so to become parties to the Convention as a matter of priority;

4. *Invites* all States ratifying or acceding to the Convention and those States which are parties to the Convention and have not yet done so to consider joining the States parties that have already made the declarations provided for in articles 21 and 22 of the Convention and to consider the possibility of withdrawing their reservations to article 20;

5. *Urges* all States parties to the Convention to notify the Secretary-General of their acceptance of the amendments to articles 17 and 18 of the Convention as soon as possible;

6. *Urges* States parties to comply strictly with their obligations under the Convention, including their obligation to submit reports in accordance with article 19 of the Convention, in view of the high number of reports not submitted, and invites States

⁴ A/CONF.157/24 (Part I), chap. III, sect. II, para. 61.

⁵ A/CONF.157/24 (Part I), chap. III.

⁶ *Ibid.*, sect. II, paras. 54-61.

⁷ *Ibid.*, para. 59.

⁸ *Official Records of the General Assembly, Fifty-fourth Session, Supplement No. 44 (A/54/44).*

parties to incorporate a gender perspective and to include information concerning children and juveniles when submitting reports to the Committee;

7. *Calls upon* the United Nations High Commissioner for Human Rights, in conformity with her mandate established in General Assembly resolution 48/141 of 20 December 1993, to continue to provide, at the request of Governments, advisory services for the preparation of national reports to the Committee and for the prevention of torture, as well as technical assistance in the development, production and distribution of teaching material for this purpose;

8. *Urges* States parties to take fully into account the conclusions and recommendations made by the Committee after its consideration of their reports;

9. *Emphasizes* the obligation of States parties under article 10 of the Convention to ensure education and training for personnel who may be involved in the custody, interrogation or treatment of any individual subjected to any form of arrest, detention or imprisonment;

10. *Stresses* in this context that States must not punish personnel referred to in paragraph 9 above for not obeying orders to commit or conceal acts amounting to torture or other cruel, inhuman or degrading treatment or punishment;

11. *Welcomes* the progress made by the inter-sessional open-ended working group of the Commission on Human Rights on the development of a draft optional protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, and urges the inter-sessional open-ended working group to complete as soon as possible a final text for submission to the General Assembly, through the Economic and Social Council, for consideration and adoption;

12. *Takes note with appreciation* of the interim report by the Special Rapporteur of the Commission on Human Rights on the question of torture and other cruel, inhuman or degrading treatment or punishment, describing the overall trends and developments with regard to his mandate, and encourages the Special Rapporteur to continue to include in his recommendations proposals on the prevention and investigation of torture;

13. *Invites* the Special Rapporteur to continue to examine questions of torture or other cruel, inhuman or degrading treatment or punishment directed against women and conditions conducive to such torture, and to make appropriate recommendations for the prevention and redress of gender-specific forms of torture, including rape or any other form of sexual violence, and to exchange views with the Special Rapporteur on violence against women, its causes and consequences, with a view to enhancing further their effectiveness and mutual cooperation;

14. *Also invites* the Special Rapporteur to continue to consider questions relating to the torture of children and conditions conducive to such torture and other cruel, inhuman or degrading treatment or punishment and to make appropriate recommendations for the prevention of such torture;

15. *Calls upon* all Governments to cooperate with and to assist the Special Rapporteur in the performance of his task, in particular by supplying all necessary information requested by him, to react appropriately and expeditiously to his urgent appeals, to give serious consideration to his requests to visit their countries, and urges them to enter into a constructive dialogue with the Special Rapporteur with respect to the follow-up to his recommendations;

16. *Approves* the methods of work employed by the Special Rapporteur, in particular as regards urgent appeals, reiterates his need to be able to respond effectively to credible

and reliable information that comes before him, invites him to continue to seek the views and comments of all concerned, in particular Member States, and expresses its appreciation for the discreet and independent way in which he continues to carry out his work;

17. *Requests* the Special Rapporteur to continue to consider including in his report information on the follow-up by Governments to his recommendations, visits and communications, including progress made and problems encountered;

18. *Stresses* the need for the continued regular exchange of views between the Committee, the Special Rapporteur and other relevant United Nations mechanisms and bodies, as well as the pursuance of cooperation with relevant United Nations programmes, notably the United Nations Crime Prevention and Criminal Justice Programme, with a view to enhancing further their effectiveness and cooperation on issues relating to torture, *inter alia*, by improving their coordination;

19. *Expresses its gratitude and appreciation* to the Governments, organizations and individuals who have already contributed to the United Nations Voluntary Fund for Victims of Torture;

20. *Appeals* to all Governments and organizations to contribute annually to the Fund, if possible with a substantial increase in the level of contributions, so that consideration may be given to the ever-increasing demand for assistance;

21. *Expresses its appreciation* to the Board of Trustees of the Fund for the work it has accomplished;

22. *Requests* the Secretary-General to transmit to all Governments the appeals of the General Assembly for contributions to the Fund;

23. *Also requests* the Secretary-General to continue to include the Fund on an annual basis among the programmes for which funds are pledged at the United Nations Pledging Conference for Development Activities;

24. *Further requests* the Secretary-General to assist the Board of Trustees of the Fund in its appeal for contributions and its efforts to make better known the existence of the Fund and the financial means currently available to it, as well as its assessment of the global need for international funding of rehabilitation services for torture victims, and in this effort, to make use of all existing possibilities, including the preparation, production and dissemination of information materials;

25. *Requests* the Secretary-General to ensure the provision of adequate staff and facilities for the bodies and mechanisms involved in combating torture and assisting victims of torture, commensurate with the strong support expressed by Member States for combating torture and assisting victims of torture;

26. *Invites* donor countries and recipient countries to consider including in their bilateral programmes and projects relating to the training of armed forces, security forces, prison and police personnel, as well as health-care personnel, matters relating to the protection of human rights and the prevention of torture and to keep in mind a gender perspective;

27. *Calls upon* all Governments, the United Nations High Commissioner for Human Rights and other United Nations bodies and agencies, as well as relevant intergovernmental and non-governmental organizations, to commemorate, on 26 June, the United Nations International Day in Support of Victims of Torture;

28. *Requests* the Secretary-General to submit to the Commission on Human Rights at its fifty-sixth session and to the General Assembly at its fifty-fifth session a report on

the status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and a report on the operations of the United Nations Voluntary Fund for the Victims of Torture;

29. *Decides* to consider the reports of the Secretary-General, including the report on the United Nations Voluntary Fund for Victims of Torture, the report of the Committee against Torture and the interim report of the Special Rapporteur of the Commission on Human Rights on the question of torture and other cruel, inhuman or degrading treatment or punishment at its fifty-fifth session.



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Agenda item 116 (a)

Human rights questions: implementation of human rights instruments

**United Republic of Tanzania: proposed amendment to draft
resolution A/C.3/54/L.8**

Replace the seventh preambular paragraph with the following:

Taking note of the fact that some countries have decided to apply a moratorium on execution consistent with their domestic laws and constitutional as well as sovereign prerogatives.





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Agenda item 116 (a)

Human rights questions: implementation of human rights instruments

Australia, Austria, Canada, Chile, Costa Rica, Cyprus, Czech Republic, Denmark, Finland, Germany, Greece, Hungary, Iceland, Ireland, Italy, Lithuania, Malta, Monaco, Netherlands, Norway, Poland, Portugal, Romania, San Marino, Slovakia, Slovenia, Spain and Sweden: draft resolution

International Covenants on Human Rights

The General Assembly,

Recalling its resolution 52/116 of 12 December 1997 and Commission on Human Rights resolution 1998/9 of 3 April 1998,¹

Mindful that the International Covenants on Human Rights² constitute the first all-embracing and legally binding international treaties in the field of human rights and, together with the Universal Declaration of Human Rights,³ form the core of the International Bill of Human Rights,

Taking note of the report of the Secretary-General⁴ on the status of the International Covenants on Human Rights and the Optional Protocols to the International Covenant on Civil and Political Rights,⁵

Recalling the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights, and reaffirming that all human rights and fundamental freedoms are universal, indivisible and interdependent and interrelated and that the promotion and protection of one category of rights should never exempt or excuse States from the promotion and protection of the other rights,

¹ See *Official Records of the Economic and Social Council, 1998, Supplement No. 3 (E/1998/23)*, chap. II, sect. B.

² Resolution 2200 A (XXI), annex.

³ Resolution 217 A (III).

⁴ A/54/277.

⁵ See resolution 2200 A (XXI), annex, and resolution 44/128, annex.



Recognizing the important role of the Human Rights Committee and the Committee on Economic, Social and Cultural Rights in examining the progress made by State parties in implementing the obligations undertaken in the two International Covenants on Human Rights and the Optional Protocols to the International Covenant on Civil and Political Rights and in providing recommendations to States parties on their implementation,

1. *Reaffirms* the importance of the International Covenants on Human Rights as major parts of international efforts to promote universal respect for and observance of human rights and fundamental freedoms;

2. *Appeals strongly* to all States that have not yet done so to become parties to the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights, as well as to accede to the Optional Protocols to the International Covenant on Civil and Political Rights and to make the declaration provided for in article 41 of the Covenant;

3. *Invites* the United Nations High Commissioner for Human Rights to intensify systematic efforts to encourage States to become parties to the International Covenants on Human Rights and, through the programme of advisory services in the field of human rights, to assist such States, at their request, in ratifying or acceding to the Covenants and to the Optional Protocols to the International Covenant on Civil and Political Rights;

4. *Emphasizes* the importance of the strictest compliance by States parties with their obligations under the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights and, where applicable, the Optional Protocols to the International Covenant on Civil and Political Rights;

5. *Stresses* the importance of avoiding the erosion of human rights by derogation, and underlines the necessity of strict observance of the agreed conditions and procedures for derogation under article 4 of the International Covenant on Civil and Political Rights, bearing in mind the need for States parties to provide the fullest possible information during states of emergency so that the justification for the appropriateness of measures taken in those circumstances can be assessed;

6. *Encourages* States parties to consider limiting the extent of any reservations they lodge to the International Covenants on Human Rights, to formulate any reservations as precisely and narrowly as possible and to ensure that no reservation is incompatible with the object and purpose of the relevant treaty or otherwise incompatible with international treaty law;

7. *Also encourages* States parties to review regularly any reservations made in respect of the provisions of the International Covenants on Human Rights and the Optional Protocols to the International Covenant on Civil and Political Rights, with a view to withdrawing them;

8. *Takes note with appreciation* of the annual report of the Human Rights Committee submitted to the General Assembly at its fifty-fourth session⁶ and takes note of general comments Nos. 25⁷ and 26⁸ adopted by the Committee;

⁶ *Official Records of the General Assembly, Fifty-fourth Session, Supplement No. 40 (A/54/40).*

⁷ *Ibid., Fifty-first Session, Supplement No. 40 (A/51/40), vol. I, annex V.*

⁸ *Ibid., Fifty-third Session, Supplement No. 40 (A/53/40), vol. I, annex VII.*

9. *Also takes note with appreciation of the reports of the Committee on Economic, Social and Cultural Rights on its sixteenth and seventeenth⁹ and eighteenth and nineteenth¹⁰ sessions and takes note of general comments Nos. 8,¹¹ 9,¹² 10,¹³ 11¹⁴ and 12¹⁵ adopted by the Committee;*

10. *Urges States parties to fulfil in good time such reporting obligations under the International Covenants on Human Rights as may be requested and in their reports to make use of gender-disaggregated data;*

11. *Stresses the importance of fully taking into account a gender perspective in the implementation of the International Covenants on Human Rights at the national level, including in the national reports of States parties and in the work of the Human Rights Committee and the Committee on Economic, Social and Cultural Rights;*

12. *Urges States parties to take duly into account, in implementing the provisions of the International Covenants on Human Rights, the concluding observations made at the conclusion of the consideration of their reports by the Human Rights Committee and by the Committee on Economic, Social and Cultural Rights, as well as the views adopted by the Human Rights Committee under the first Optional Protocol to the International Covenant on Civil and Political Rights;*

13. *Invites States parties to give particular attention to the dissemination at the national level of the reports they have submitted to the Human Rights Committee and the Committee on Economic, Social and Cultural Rights, the summary records relating to the examination of those reports by the Committees and the observations made by the Committees at the conclusion of the consideration of the reports;*

14. *Once again encourages all Governments to publish the texts of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocols to the International Covenant on Civil and Political Rights in as many local languages as possible and to distribute them and make them known as widely as possible in their territories;*

15. *Invites the Human Rights Committee and the Committee on Economic, Social and Cultural Rights when considering the reports of States parties to continue to identify specific needs that might be addressed by United Nations departments, funds and programmes and the specialized agencies, including through the advisory services and technical assistance programme of the Office of the United Nations High Commissioner for Human Rights;*

16. *Stresses the need for improved coordination between relevant United Nations mechanisms and bodies in supporting States parties, upon their request, in implementing the International Covenants on Human Rights and the Optional Protocols to the International Covenant on Civil and Political Rights and encourages continued efforts in this direction;*

17. *Invites States parties to continue to contribute, with practical proposals and ideas, to the dialogue on ways of improving the functioning of the Human Rights Committee and the Committee on Economic, Social and Cultural Rights;*

⁹ *Official Records of the Economic and Social Council, 1998, Supplement No. 2 (E/1998/22).*

¹⁰ *Ibid., 1999, Supplement No. 2 (E/1999/22).*

¹¹ *Ibid., 1998, Supplement No. 2 (E/1998/22), annex V.*

¹² *Ibid., 1999, Supplement No. 2 (E/1999/22), annex IV.*

¹³ *Ibid., 1999, Supplement No. 2 (E/1999/22), annex V.*

¹⁴ E/C.12/1999/4. Adopted on 10 May 1999 during the twentieth session.

¹⁵ E/C.12/1999/5. Adopted on 12 May 1999 during the twentieth session.

18. *Welcomes* the continuing efforts of the Human Rights Committee and the Committee on Economic, Social and Cultural Rights to strive for uniform standards in the implementation of the provisions of the International Covenants on Human Rights, and appeals to other bodies dealing with similar human rights questions to respect those uniform standards, as expressed in the general comments of the Committees;

19. *Encourages* the Secretary-General to continue to assist States parties to the International Covenants on Human Rights in the preparation of their reports, including by convening seminars or workshops at the national level for the purpose of training government officials engaged in the preparation of such reports, and by exploring other possibilities available under the regular programme of advisory services in the field of human rights;

20. *Requests* the Secretary-General to ensure that the Office of the United Nations High Commissioner for Human Rights effectively assists the Human Rights Committee and the Committee on Economic, Social and Cultural Rights in the implementation of their respective mandates, including by the provision of adequate Secretariat staff resources;

21. *Welcomes* the initiative by the Secretary-General, taking into account the suggestions of the Human Rights Committee, to take determined steps, in particular through the Office of Communications and Public Information of the Secretariat, to give more publicity to the work of that Committee and, similarly, to the work of the Committee on Economic, Social and Cultural Rights;

22. *Requests* the Secretary-General to submit to the General Assembly at its fifty-sixth session, under the item entitled "Human rights questions", a report on the status of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocols to the International Covenant on Civil and Political Rights, including all reservations and declarations.



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**Human rights questions: implementation of
human rights instruments**

**Argentina, Bangladesh, Cape Verde, Colombia, Costa Rica, Cuba, Ecuador,
Egypt, El Salvador, Guatemala, Mexico, Morocco, Paraguay, Peru, Philippines,
Senegal, Sri Lanka, Turkey and Uruguay: draft resolution**

International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

The General Assembly,

Reaffirming once more the permanent validity of the principles and norms set forth in the basic instruments regarding the international protection of human rights, in particular the Universal Declaration of Human Rights,¹ the International Covenants on Human Rights,² the International Convention on the Elimination of All Forms of Racial Discrimination,³ the Convention on the Elimination of All Forms of Discrimination against Women,⁴ and the Convention on the Rights of the Child,⁵

Bearing in mind the principles and norms established within the framework of the International Labour Organization and the importance of the work done in connection with migrant workers and members of their families in other specialized agencies and in various organs of the United Nations,

Reiterating that, despite the existence of an already established body of principles and norms, there is a need to make further efforts to improve the situation and to guarantee respect for the human rights and dignity of all migrant workers and members of their families,

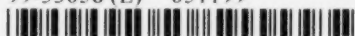
¹ Resolution 217 A (III).

² Resolution 2200 A (XXI), annex.

³ Resolution 2106 A (XX), annex.

⁴ Resolution 34/180, annex.

⁵ Resolution 44/25, annex.



Aware of the situation of migrant workers and members of their families and the marked increase in migratory movements that has occurred, especially in certain parts of the world,

Considering that, in the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,⁶ all States are urged to guarantee the protection of the human rights of all migrant workers and members of their families,

Underlining the importance of the creation and promotion of conditions to foster greater harmony and tolerance between migrant workers and the rest of the society of the State in which they reside, with the aim of eliminating the growing manifestations of racism and xenophobia perpetrated in segments of many societies by individuals or groups against migrant workers,

Recalling its resolution 45/158 of 18 December 1990, by which it adopted and opened for signature, ratification and accession the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,

Bearing in mind that, in the Vienna Declaration and Programme of Action, States are invited to consider the possibility of signing and ratifying the Convention at the earliest possible time,

Recalling that, in its resolution 53/137 of 9 December 1998, it requested the Secretary-General to submit to it at its fifty-fourth session a report on the status of the Convention,

1. *Expresses its deep concern at the growing manifestations of racism, xenophobia and other forms of discrimination and inhuman or degrading treatment directed against migrant workers in different parts of the world;*

2. *Welcomes the signature or ratification of or accession to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families by some Member States;*

3. *Calls upon all Member States to consider signing and ratifying or acceding to the Convention as a matter of priority, expresses the hope that it will enter into force at an early date, and notes that, pursuant to article 87 of the Convention, only eight ratifications or accessions are still needed for it to enter into force;*

4. *Requests the Secretary-General to provide all the facilities and assistance necessary for the promotion of the Convention through the World Public Information Campaign on Human Rights and the programme of advisory services in the field of human rights;*

5. *Welcomes the launching of the global campaign for the entry into force of the Convention, and invites the organizations and agencies of the United Nations system and intergovernmental and non-governmental organizations to further intensify their efforts with a view to disseminating information on and promoting understanding of the importance of the Convention;*

6. *Welcomes the decision of the Commission on Human Rights, in its resolution 1999/44 of 27 April 1999,⁷ to appoint a Special Rapporteur on the human rights of the migrants to examine ways and means to overcome the obstacles existing to the full and effective protection of the human rights of this vulnerable group;*

⁶ A/CONF.157/24 (Part I), chap. III.

⁷ See *Official Records of the Economic and Social Council, 1999, Supplement No. 3 (E/1999/23)*, chap. II.

7. *Takes note* of the report of the Secretary-General,⁸ and requests him to submit an updated report on the status of the Convention to the General Assembly at its fifty-fifth session;

8. *Decides* to consider the report of the Secretary-General at its fifty-fifth session under the sub-item entitled "Implementation of human rights instruments".

⁸ A/54/346.

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Fifty-fourth session

Third Committee

Agenda item 110

**Implementation of the outcome of the Fourth World
Conference on Women**

**Draft resolution submitted by the Chairman of the Third Committee on the basis
of informal consultations**

**Follow-up to the Fourth World Conference on Women and full
implementation of the Beijing Declaration and Platform for Action**

The General Assembly,

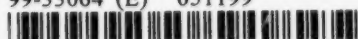
Recalling its resolutions 52/100 of 12 December 1997, 52/231 of 4 June 1998 and 53/120 of 9 December 1998, in which it decided to convene a high-level plenary review as a special session of the General Assembly, which will take place from 5 to 9 June 2000, entitled "Women 2000: gender equality, development and peace for the twenty-first century",

Also recalling its resolutions 54/4 of 6 October 1999, 53/116, 53/117 and 53/118 of 9 December 1998, and 52/93 and 52/97 of 12 December 1997,

Stressing the importance of the special session and the need for strong, sustained political will and commitment at the national, regional and international levels towards achieving equality between women and men, and, in this regard, reaffirming that the full implementation of the Platform for Action of the Fourth World Conference on Women¹ requires further action by all,

Reaffirming its decision that the special session will be undertaken on the basis of and with full respect for the Platform for Action and that there will be no renegotiation of the existing agreements contained therein,

¹ *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex II.



Deeply convinced that the Beijing Declaration² and Platform for Action adopted at the Fourth World Conference on Women are important contributions to the advancement of women worldwide in the achievement of gender equality and must be translated into effective action by all States, the United Nations system and other organizations concerned, as well as by non-governmental organizations,

Recognizing that the responsibility for the implementation of the Platform for Action rests primarily at the national level and that strengthened efforts are necessary in this respect, and further reiterating that enhanced international cooperation is essential for the effective implementation of the Beijing Declaration and Platform for Action,

1. *Takes note with appreciation* of the report of the Secretary-General on the follow-up to the Fourth World Conference on Women and full implementation of the Beijing Declaration and Platform for Action;³

2. *Commends* the work of the Commission on the Status of Women acting as the preparatory committee for the special session of the General Assembly;

3. *Takes note* of the ministerial communiqué adopted by the Economic and Social Council at the high-level segment of its substantive session of 1999 on "The role of employment and work in poverty eradication: the empowerment and advancement of women",⁴ as well as its resolution 1999/55 of 30 July 1999 on "Integrated and coordinated implementation of and follow-up to major United Nations conferences and summits";

4. *Welcomes* the initiatives and actions taken by Governments, the United Nations system and other international organizations as well as by non-governmental organizations and other actors of civil society towards the accelerated implementation of the Beijing Declaration² and Platform for Action,¹ and calls upon them to implement effectively all the critical areas of concern of the Platform for Action by promoting the empowerment of women at all levels and their full participation in all spheres of society through, *inter alia*, an active and visible policy of mainstreaming a gender perspective at all levels;

5. *Welcomes* the replies from Governments to the questionnaire on the implementation of the Platform for Action, and, once again, invites Governments that have not yet done so to submit national evaluations of the implementation of the Platform for Action, in accordance with Economic and Social Council resolution 1999/50 of 29 July 1999;

6. *Recognizes* the importance attached to the regional and subregional monitoring of the global and regional platforms for action by regional commissions and other subregional or regional structures, within their mandates, in consultation with Governments, and calls for the promotion of cooperation in that respect among Governments and, where appropriate, national machineries of the same region;

7. *Reaffirms* that, in order to implement the Platform for Action, adequate mobilization of resources at the national and international levels, as well as new and additional resources for the developing countries, in particular those in Africa and the least developed countries, from all available funding mechanisms, including multilateral, bilateral and private sources, will also be required;

² Ibid., annex I.

³ A/54/264.

⁴ A/54/3, chap. III, para. 23. To be issued as *Official Records of the General Assembly, Fifty-fourth Session, Supplement No. 3* (A/54/3/Rev.1).

8. *Recognizes* that implementation of the Platform for Action in the countries with economies in transition requires continued national efforts and international cooperation and assistance, as indicated in the Platform for Action;

9. *Reaffirms* that, in order to implement the Platform for Action, a reformulation of policies and reallocation of resources may be needed, but that some policy changes may not necessarily have financial implications;

10. *Calls upon* Member States to allocate adequate resources for the provision of data disaggregated by sex and age for undertaking gender impact analysis and measuring progress in order to develop successful national implementation strategies for the Platform for Action;

11. *Encourages* all entities of the United Nations system, including the programmes, funds and specialized agencies, and the Committee on the Elimination of Discrimination against Women, to continue their active involvement in the preparations for the special session and to participate at the highest level in the special session, including through presentations on best practices, obstacles encountered and a vision for the future to accelerate implementation of the Platform for Action and address new and emerging trends;

12. *Welcomes* the initiatives and activities of all United Nations regional commissions and other intergovernmental organizations in support of the preparations of the special session;

13. *Reiterates* that participation in the special session should be at a high political level;

14. *Invites* Member States to include representatives of national machineries for the advancement of women on their delegations to the preparatory committee and the special session;

15. *Reiterates* the decision that non-governmental organizations in consultative status with the Economic and Social Council, as well as the non-governmental organizations that were accredited to the Fourth World Conference on Women, may participate in the special session without creating a precedent for future sessions of the General Assembly;

16. *Encourages* Member States to include relevant actors of civil society, especially non-governmental organizations and representatives of women's organizations, in their national preparatory processes as well as in their delegations to the preparatory committee and the special session;

17. *Requests* the Secretary-General to submit to the General Assembly at its fifty-fifth session a report on the special session;

18. *Decides* to include in the provisional agenda of its fifty-fifth session the item entitled "Implementation of the outcome of the Fourth World Conference on Women and of the special session of the General Assembly entitled 'Women 2000: gender equality, development and peace for the twenty-first century'".

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Third Committee

Agenda item 110

**Implementation of the outcome of the Fourth World
Conference on Women**

**Preparations for the special session of the General Assembly
entitled "Women 2000: gender equality, development and
peace for the twenty-first century"**

Note by the Secretariat

By its resolution 1999/50, the Economic and Social Council recommended to the General Assembly the adoption of the draft resolution entitled "Preparations for the special session of the General Assembly entitled 'Women 2000: gender equality, development and peace for the twenty-first century'". The text of the draft resolution is reproduced below.

The General Assembly,

Recalling its resolutions 52/100 of 12 December 1997, 52/231 of 4 June 1998 and 53/120 of 9 December 1998 and Economic and Social Council resolution 1996/6 of 22 July 1996,

Taking note of the reports of the Secretary-General on review and appraisal¹ and on further actions and initiatives,²

Taking note with appreciation of the report³ of the Committee on the Elimination of Discrimination against Women on progress in the implementation of the Platform for Action⁴ by the States Parties to the Convention on the Elimination of Discrimination against Women,⁵

¹ E/CN.6/1999/PC/3.

² E/CN.6/1999/PC/2.

³ E/CN.6/1999/PC/4, annex.

⁴ Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995 (United Nations publication, Sales No. 96 IV 13), chap. I, resolution I, annex II.

⁵ General Assembly resolution 34/180, annex.



1. *Reiterates* its invitation to Governments that have not yet done so to prepare national action plans and reports on the implementation of the Platform for Action, and underlines the importance of involving relevant actors of civil society especially non-governmental organizations;

2. *Invites* Member States, in preparing implementation plans and reports and responding to the questionnaire of the Secretary-General, to report on good practices, positive actions, lessons learned, the use of qualitative and quantitative indicators for measuring progress, wherever possible, key challenges remaining in the critical areas of concern of the Platform for Action and obstacles encountered;

3. *Encourages* all the regional commissions and other intergovernmental regional organizations to carry out activities in support of the preparations for the special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century", *inter alia*, through holding preparatory meetings, to ensure a regional perspective on implementation and on further actions and initiatives, as well as on a vision for gender equality, development and peace in the twenty-first century, and to make their reports available in the year 2000 to the Commission on the Status of Women acting as preparatory committee;

4. *Encourages* all entities of the United Nations system, including the programmes, funds and specialized agencies, and the Committee on the Elimination of Discrimination against Women, to be involved actively in preparatory activities and to participate at the highest level in the special session, including through presentations on best practices, obstacles encountered and a vision for the future to accelerate implementation of the Platform for Action and address new and emerging trends;

5. *Decides* that the special session shall have a plenary and an ad hoc committee of the whole;

6. *Reaffirms* that the special session will be undertaken on the basis of and with full respect for the Platform for Action, and that there will be no renegotiation of the existing agreements contained therein;

7. *Decides* that the provisional agenda shall include the following items:

(a) Review and appraisal of progress made in the implementation of the twelve critical areas of concern in the Beijing Platform for Action;

(b) Further actions and initiatives for overcoming obstacles to the implementation of the Beijing Platform for Action;

8. *Requests* the Secretary-General to prepare, in time for the next session of the preparatory committee in the year 2000, comprehensive reports on progress made in the implementation of the Platform for Action nationally, regionally and internationally, taking into account all relevant information and inputs available to the United Nations system, on the following:

(a) A review and appraisal of the implementation of the Platform for Action based on, *inter alia*, national action plans, reports of the States parties to the Committee on the Elimination of Discrimination against Women under article 18 of the Convention, replies of Member States to the questionnaire, statements made by delegations at relevant forums of the United Nations, reports of regional commissions and other entities of the United Nations system and follow-up to recent global United Nations conferences;

(b) Good practices, positive actions, lessons learned, examples of the use of any qualitative and quantitative indicators for measuring progress, successful strategies and promising initiatives for the implementation of the Platform for Action;

(c) Obstacles encountered and strategies for overcoming them;

(d) Further actions and initiatives, within the overall goals of gender equality, development and peace, to accelerate implementation of the twelve critical areas of concern of the Platform for Action beyond the year 2000, recognizing the need for analytical tools and strategies for implementation, taking into account inputs, as well as comments of Member States on the report of the Secretary-General on further actions and initiatives; and, in this regard, invites Member States to provide inputs and comments thereon;

9. *Also requests* the Secretary-General to make available all necessary documentation in a timely manner for the special session, keeping in mind General Assembly resolutions 52/231 and 53/120;

10. *Encourages* the United Nations system to continue to hold discussions with relevant actors of civil society, especially non-governmental organizations, in the exchange of views for the review and appraisal process on the implementation of the Platform for Action, including, wherever available, the use of electronic networking;

11. *Urges* Member States and observers to ensure their representation at the special session at a high political level;

12. *Confirms* that the special session will be open to the participation of all States Members of the United Nations, members of the specialized agencies and observers, in accordance with the established practice of the General Assembly;⁶

13. *Calls* for the participation of associate members of the regional commissions in the special session, subject to the rules of procedure of the General Assembly, and in the preparatory process thereof, in the same capacity of observer that held for their participation in the Fourth World Conference on Women;

14. *Encourages* Member States to include relevant actors of civil society, especially non-governmental organizations and representatives of women's organizations, in their national preparatory processes as well as in their delegations to the Preparatory Committee and the special session;

15. *Emphasizes* the important role of non-governmental organizations in implementing the Platform for Action and the need for their active involvement in the preparations for the special session, as well as the need to ensure appropriate arrangements for their contributions to the special session;

16. *Decides* that non-governmental organizations in consultative status with the Economic and Social Council, as well as the non-governmental organizations that were accredited to the Fourth World Conference on Women, may participate in the special session without creating a precedent for future sessions of the General Assembly;⁶

17. *Also decides* to defer consideration of all the modalities for participation of non-governmental organizations in the special session until the next session of the Preparatory Committee;

18. *Invites* the Bureau of the Commission on the Status of Women acting as preparatory committee to convene informal open-ended consultations, as appropriate, to consider preparations for the special session;

⁶ See General Assembly resolution 52/100, para. 46.

19. *Recommends* that the major share of the three-week forty-fourth session of the Commission on the Status of Women in March 2000 be allocated to the Commission acting as preparatory committee.



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Agenda item 116 (a)

**Human rights questions: implementation of
human rights instruments**

Pakistan: amendment to draft resolution A/C.3/54/L.8

Question of the death penalty

Delete operative paragraph 4.





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Third Committee

Agenda item 111

**Report of the United Nations High Commissioner for Refugees,
questions relating to refugees, returnees and displaced persons
and humanitarian questions**

Chile, Côte d'Ivoire and Republic of Korea: draft resolution

Enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees

The General Assembly,

Taking note of Economic and Social Council decisions 1999/207 of 2 February 1999 and 1999/282 of 30 July 1999 concerning the enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees,

Taking note also of the requests regarding the enlargement of the Executive Committee contained in the note verbale dated 13 August 1998 from the Permanent Mission of Côte d'Ivoire to the United Nations addressed to the Secretary-General,¹ the note verbale dated 26 May 1999 from the Permanent Mission of the Republic of Korea to the United Nations addressed to the Secretary-General,² and the note verbale dated 20 July 1999 from the Permanent Mission of Chile to the United Nations addressed to the Secretary-General,³

1. *Decides to increase the number of members of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees from fifty-four to fifty-seven States;*

2. *Requests the Economic and Social Council to elect the additional members at its organizational session for 2000.*

¹ E/1998/97.

² E/1999/76.

³ E/1999/112.





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Third Committee

Agenda item 116 (c)

**Human rights situations and reports of special rapporteurs
and representatives**

Draft resolution submitted by the Chairman on the basis of informal consultations

The question of human rights in Afghanistan

The General Assembly,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights,¹ the International Covenants on Human Rights² and accepted humanitarian rules, as set out in the Geneva Conventions of 12 August 1949³ and the Additional Protocols thereto, of 1977,⁴

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms and to fulfil the obligations they have freely undertaken under the various international instruments,

Recalling that Afghanistan is a party to the Convention on the Prevention and Punishment of the Crime of Genocide,⁵ the International Covenant on Civil and Political Rights,² the International Covenant on Economic, Social and Cultural Rights,² the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,⁶ the Convention on the Rights of the Child⁷ and the Geneva Convention relative to the Protection of Civilian Persons in Time of War,⁸ and that it has signed the Convention on the Elimination of All Forms of Discrimination against Women,⁹

¹ Resolution 217 A (III).

² Resolution 2200 A (XXI), annex.

³ United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

⁴ *Ibid.*, vol. 1125, Nos. 17512 and 17513.

⁵ Resolution 260 A (III).

⁶ Resolution 39/46, annex.

⁷ Resolution 44/25, annex.

⁸ United Nations, *Treaty Series*, vol. 75, No. 973.

⁹ Resolution 34/180, annex.



Recalling also all its relevant resolutions, as well as the resolutions and presidential statements of the Security Council, the decisions of the Economic and Social Council and the resolutions and decisions of the Commission on Human Rights,

1. *Takes note with appreciation* of the interim report of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Afghanistan¹⁰ and of the conclusions and recommendations contained therein;

2. *Strongly condemns* the mass killings and systematic human rights violations against civilians and prisoners of war, including in the areas of Mazar-e-Sharif and Bamyan, and notes with alarm the resumption by the Taliban of the wider conflict last summer, especially in the Shamali Valley, resulting in massive, forced displacement of the civilian population, in particular of women and children;

3. *Condemns* the widespread violations and abuses of human rights and humanitarian law, including the rights to life, liberty and security of person, freedom from torture and from other forms of cruel, inhuman or degrading treatment or punishment, freedom of opinion, expression, religion, association and movement, the forced or compulsory recruitment of children for use in armed conflict and, in particular, the grave human rights violations against women and girls;

4. *Reiterates its condemnation* of the killing of Iranian diplomats and the correspondent of the Islamic Republic News Agency by the Taliban, which constituted flagrant violations of established international law, as well as of the attacks on and killing of United Nations personnel in Taliban-held territories of Afghanistan, and calls upon the Taliban to fulfil their stated commitment to cooperate in urgent investigations of these heinous crimes with a view to bringing those responsible to justice;

5. *Notes with deep concern*:

(a) The persisting pattern of human rights violations in Afghanistan;

(b) The continuing and substantiated reports of human rights violations against women and girls, including all forms of discrimination against them, notably in areas under the control of the Taliban;

(c) The intensification of armed hostilities in Afghanistan and the complex nature of the conflict, including its ethnic, religious and political aspects, which have resulted in extensive human suffering and forced displacement, including on the ground of ethnicity;

(d) The continued displacement of millions of Afghan refugees to the Islamic Republic of Iran, Pakistan and other countries;

(e) The lack of major reconstruction in Afghanistan;

6. *Also notes with deep concern* the sharp deterioration of the humanitarian situation in several areas of Afghanistan, particularly in the Shamali and Panshir Valleys, and calls for the full implementation of the agreement on the security of United Nations personnel in Afghanistan;

7. *Urges* all States to respect the sovereignty, independence, territorial integrity and national unity of Afghanistan, to refrain from interfering in its internal affairs and to end immediately the supply of arms, ammunition, military equipment, training or any other military support, including providing any foreign military personnel, to all parties to the conflict;

¹⁰ A/54/422.

8. *Urges* all the Afghan parties:

(a) To respect fully all human rights and fundamental freedoms, regardless of gender, ethnicity or religion, in accordance with international human rights instruments;

(b) To cease hostilities immediately, to work and cooperate fully with the Special Envoy and the United Nations Special Mission to Afghanistan with a view to achieving a ceasefire and to implement the Tashkent Declaration of 19 July 1999, thus laying the foundation for a comprehensive political solution leading to the voluntary return of displaced persons to their homes in safety and dignity and to the establishment of a broad-based, multi-ethnic, fully representative Government through the full exercise of the right to self-determination of the Afghan people;

(c) To reaffirm publicly their commitment to international human rights and principles and to recognize, protect and promote all human rights and fundamental freedoms;

(d) To respect fully international humanitarian law, to protect civilians, to halt the use of weapons against the civilian population, to refrain from the wanton destruction of food crops and civilian property, in particular homes, to stop the laying of landmines, especially anti-personnel mines, to prohibit conscripting or enlisting children or using them to participate in hostilities in violation of international law and to ensure the disarmament, demobilization and social reintegration of children into society;

(e) To provide efficient and effective remedies to the victims of grave violations and abuses of human rights and of international humanitarian law and to bring the perpetrators to trial;

(f) To treat all suspects and convicted or detained persons in accordance with relevant international instruments and to refrain from arbitrary detention, including detention of civilian foreign nationals, and urges their captors to release them as well as non-criminal civilian prisoners;

9. *Demands* that all the Afghan parties fulfil their obligations regarding the safety of all personnel of diplomatic missions, the United Nations and other international organizations, as well as their premises in Afghanistan, and to cooperate fully and without discrimination on grounds of gender, nationality or religion with the United Nations and associated bodies as well as with other humanitarian organizations, agencies and non-governmental organizations;

10. *Urges* all the Afghan parties, in particular the Taliban, to bring to an end without delay all violations of human rights against women and girls and to take urgent measures to ensure:

(a) The repeal of all legislative and other measures that discriminate against women and girls as well as those which impede the realization of all their human rights;

(b) The effective participation of women in civil, cultural, economic, political and social life throughout the country;

(c) Respect for the right of women to work and their reintegration in employment;

(d) The right of women and girls to education without discrimination, the reopening of schools and the admission of women and girls to all levels of education;

(e) Respect for the right of women to security of person and that those responsible for physical attacks on women are brought to justice;

(f) Respect for women's freedom of movement and effective and equal access to facilities necessary to protect their right to the highest attainable standard of physical and mental health;

11. *Notes with appreciation* the visit of the Special Rapporteur on violence against women, its causes and consequences, and looks forward to her conclusion and recommendations;

12. *Also notes with appreciation* the activities carried out by the International Committee of the Red Cross on all the territory of Afghanistan;

13. *Invites* the Secretary-General and the United Nations High Commissioner for Human Rights to proceed without delay to investigate fully reports of mass killings of prisoners of war and civilians, rape and cruel treatment in Afghanistan, and calls upon the United Front and the Taliban to fulfil their stated commitment to cooperate with such investigations;

14. *Also invites* the Secretary-General and the United Nations High Commissioner for Human Rights to ensure that the ongoing process of deployment of the civilian affairs observers in Afghanistan is completed as soon as possible and that gender issues and child rights are fully incorporated into their mission;

15. *Appeals* to all States, organizations and programmes of the United Nations system, specialized agencies and other international organizations to provide humanitarian assistance to all in need as soon as the situation on the ground permits and as part of an overall effort to achieve peace;

16. *Expresses its deep concern* at reports of attacks on and looting of cultural artifacts in Afghanistan, emphasizes that all parties share the responsibility to protect their common heritage, and requests all Member States to take appropriate measures to prevent the looting of cultural artifacts and to ensure their return to Afghanistan;

17. *Urges* all the Afghan parties to extend their cooperation to the Commission on Human Rights and its Special Rapporteur on the situation of human rights in Afghanistan and to all those Special Rapporteurs who are seeking invitations;

18. *Requests* the Secretary-General to give all necessary assistance to the Special Rapporteur;

19. *Decides* to keep the situation of human rights in Afghanistan under consideration at its fifty-fifth session, in the light of additional elements provided by the Commission on Human Rights and the Economic and Social Council.



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Agenda item 116 (c)

Human rights situations and reports of special rapporteurs and representatives

Andorra, Australia, Austria, Belgium, Bulgaria, Canada, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Latvia, Lithuania, Luxembourg, Monaco, Netherlands, Norway, Poland, Portugal, San Marino, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

Human rights situation in the Islamic Republic of Iran

The General Assembly,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights,¹ the International Covenants on Human Rights,² and other human rights instruments,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms and to fulfil the obligations they have undertaken under the various international instruments in this field,

Mindful that the Islamic Republic of Iran is a party to the International Covenants on Human Rights,

Recalling its previous resolutions on this subject, including the most recent, resolution 53/158 of 9 December 1998, and taking note of Commission on Human Rights resolution 1999/13 of 23 April 1999,³

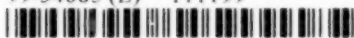
1. *Welcomes* the interim report of the Special Representative of the Commission on Human Rights on the situation of human rights in the Islamic Republic of Iran;⁴

¹ Resolution 217 A (III).

² Resolution 2200 A (XXI), annex.

³ See *Official Records of the Economic and Social Council, 1999, Supplement No. 3 (E/1999/23)*, chap. II, sect. A.

⁴ A/54/365.



2. *Welcomes* the stated commitment of the Government of the Islamic Republic of Iran to promote the rule of law, including the elimination of arbitrary arrest and detention, and to reform the legal and penitentiary system and bring it into line with international human rights standards in this field;

3. *Welcomes* the continued public debate in the Islamic Republic of Iran on issues of governance and human rights and encourages further efforts for ensuring freedom of opinion, of the press and of cultural activities, and the support given by the Government to the development of non-governmental organizations;

4. *Welcomes* the progress in democracy achieved by the holding of local elections in the Islamic Republic of Iran last February, trusts that the forthcoming elections to the Majlis will be held in full respect for due democratic process and calls upon the Government to continue its efforts towards strengthening democracy and the holding of free and fair elections;

5. *Welcomes* the needs assessment mission undertaken by of the Office of the United Nations High Commissioner to the Islamic Republic of Iran at the invitation of the Government of the Islamic Republic of Iran as well as the invitation by the Government to the Working Group on Enforced or Involuntary Disappearances to visit the Islamic Republic of Iran, and hopes that the visit will take place soon;

6. *Welcomes* the efforts undertaken by the Government of the Islamic Republic of Iran to investigate the cases of disappearances and killings of intellectuals and political activists, and calls upon the Government of the Islamic Republic of Iran to continue its efforts to fully investigate the cases in due process of law and to bring the perpetrators to justice;

7. *Takes note with interest* of the gradual increase of the presence of women in public life in the Islamic Republic of Iran and the Government's efforts in this regard, expresses its concern at the continued discrimination in law and in practice against women and calls upon the Government to take further measures to ensure full and equal enjoyment by women of their human rights;

8. *Takes note with interest* of the focus of the Islamic Human Rights Commission on the human rights situation in the Islamic Republic of Iran, and expresses its hope that the Commission will come into line with the 1993 principles relating to the status of national institutions for the promotion and protection of human rights;⁵

9. *Expresses its concern* at continuing threats by the 15 Khordad Foundation to the life of Mr. Salman Rushdie, including the increase in the bounty announced by the Foundation after the assurance given by the Government of the Islamic Republic of Iran in New York in September 1998, and welcomes the assurance given by the Government that it has no intention of taking any action whatsoever to threaten the life of Mr. Salman Rushdie and those associated with his work or of encouraging or assisting anyone to do so, and that it dissociates itself from any reward offered in this regard and does not support it;

10. *Expresses its concern* at the fact that since 1996 no invitation has been extended by the Government of the Islamic Republic of Iran to the Special Representative to visit the country, and calls upon the Government to resume its full cooperation with the Special Representative and to extend an invitation to him to visit the country;

11. *Expresses its serious concern* at the continuing violations of human rights in the Islamic Republic of Iran, as reported by the Special Representative, in particular

⁵ Resolution 48/134, annex.

executions in the apparent absence of respect for internationally recognized safeguards, the use of national security laws as a basis for derogating from the rights of the individual, cases of torture and cruel, inhuman or degrading treatment or punishment as well as the failure to meet international standards in the administration of justice and the absence of due process of law, and calls upon the Government of the Islamic Republic of Iran to take all necessary steps to end the use of torture and the practice of amputation, stoning and other forms of cruel, inhuman and degrading punishment:

12. *Expresses its concern* at the restrictions on the freedom of expression, opinion, thought and the press and at the interference with the work of writers and journalists and closure of publications as well as at the circumstances surrounding the arrests of individuals based on the involvement in the student demonstrations and at reports that some of them may be subjected to death sentences, or other harsh sentences, and calls upon the Government of the Islamic Republic of Iran to take further measures to secure the freedom of expression, opinion, thought and the press;

13. *Expresses its concern* at the discrimination against religious minorities, in particular Baha'is, and remains gravely concerned at the unabated pattern of persecution against the Baha'is, including death sentences, arrests and the closure of the Baha'i Institute of Higher Education, and calls upon the Government of the Islamic Republic of Iran to implement fully the conclusions and recommendations of the Special Rapporteur on religious intolerance relating to the Baha'is and other religious minorities until they are completely emancipated;

14. *Calls upon* the authorities of the Islamic Republic of Iran to make further efforts to ensure for all the application of the due process of law by the judiciary in all instances; and in this context to ensure a fair and transparent trial for the group of people detained in early 1999, which includes 13 members of the Iranian Jewish community, noting the stated commitments of the Government of Iran in this regard;

15. *Calls upon* the Government of the Islamic Republic of Iran to continue its efforts and to abide by its freely undertaken obligations under the International Covenants on Human Rights and other international instruments on human rights, and to ensure that all individuals within its territory and subject to its jurisdiction, including persons belonging to religious minorities, enjoy the rights enshrined in those instruments;

16. *Calls upon* the Government of the Islamic Republic of Iran to ensure that capital punishment will not be imposed for other than the most serious crimes, not for apostasy or otherwise in disregard of the provisions of the International Covenant on Civil and Political Rights² and United Nations safeguards, and to provide the Special Representative with relevant statistics on this matter;

17. *Decides* to continue the examination of the situation of human rights in the Islamic Republic of Iran, including the situation of minority groups, such as the Baha'is, at its fifty-fifth session under the item entitled "Human rights questions", in the light of additional elements provided by the Commission on Human Rights.



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Human rights situations and reports of special rapporteurs and representatives

Andorra, Argentina, Australia, Austria, Belgium, Bulgaria, Canada, Chile, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Monaco, Netherlands, Norway, Poland, Portugal, San Marino, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

Human rights situation in Iraq

The General Assembly,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights,¹ the International Covenants on Human Rights,² and other human rights instruments,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms and to fulfil the obligations they have undertaken under the various international instruments in this field,

Mindful that Iraq is a party to the International Covenants on Human Rights, to other international human rights instruments and to the Geneva Conventions of 12 August 1949 for the protection of victims of war,³

Recalling its previous resolutions and those of the Commission on Human Rights on the subject, and taking note of the most recent, Commission on Human Rights resolution 1999/14 of 23 April 1999,

Recalling Security Council resolution 686 (1991) of 2 March 1991, in which the Council called upon Iraq to release all Kuwaitis and nationals of other States who might still be held in detention, Council resolutions 687 (1991) of 3 April 1991, 688 (1991) of 5 April 1991, in which the Council demanded an end to repression of the Iraqi civilian

¹ Resolution 217 A (III).

² Resolution 2200 A (XXI), annex.

³ United Nations, *Treaty Series*, vol. 75, Nos. 970-973.



population and insisted that Iraq cooperate with humanitarian organizations and that the human rights of all Iraqi citizens be respected, and Council resolutions 986 (1995) of 14 April 1995, 1111 (1997) of 4 June 1997, 1129 (1997) of 12 September 1997, 1143 (1997) of 4 December 1997, 1153 (1998) of 20 February 1998, 1175 (1998) of 19 June 1998, 1210 (1998) of 24 November 1998, 1242 (1999) of 21 May 1999 and 1266 (1999) of 4 October 1999, by which the Council authorized States to permit imports of Iraqi oil in order to allow Iraq to purchase humanitarian supplies.

Taking note of the concluding observations of the Human Rights Committee,⁴ the Committee on the Elimination of Racial Discrimination,⁵ the Committee on Economic, Social and Cultural Rights⁶ and the Committee on the Rights of the Child⁷ on Iraq's recent reports to these treaty monitoring bodies,

Taking note of the report of the Secretary-General concerning the implementation of Security Council resolutions 986 (1995),⁸ 1111 (1997),⁹ 1143 (1997),¹⁰ 1175 (1998),¹¹ 1210 (1998),¹² 1242 (1999)¹³ and, in particular, his report of 19 August 1999 concerning the implementation of Council resolution 1242 (1999),¹⁴

Reaffirming that it is the responsibility of the Government of Iraq to ensure the well-being of its entire population and the full enjoyment of all human rights and fundamental freedoms, concerned about the dire humanitarian situation in Iraq, which particularly affects certain vulnerable groups, such as children, and appealing to all concerned to fulfil their mutual obligations in the management of the humanitarian programme established by the Security Council in its resolution 986 (1995),

1. *Welcomes* the interim report of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Iraq¹⁵ and the observations, conclusions and recommendations contained therein, and notes with dismay that there has been no improvement in the situation of human rights in the country;

2. *Strongly condemns*:

(a) The systematic, widespread and extremely grave violations of human rights and of international humanitarian law by the Government of Iraq, resulting in an all-pervasive repression and oppression sustained by broad-based discrimination and widespread terror;

(b) The suppression of freedom of thought, expression, information, association, assembly and movement through fear of arrest, imprisonment, executions and other sanctions;

⁴ CCPR/79/Add.84.

⁵ CERD/C/55/CRP.1/Add.10.

⁶ E/C.12/1/Add.17.

⁷ CRC/C/15/Add.94.

⁸ See *Official Records of the Security Council, Fifty-first Year, Supplement for October, November and December 1996*, document S/1996/1015.

⁹ *Ibid.*, *Fifty-second Year, Supplement for October, November and December 1997*, document S/1997/935.

¹⁰ *Ibid.*, *Fifty-third Year, Supplement for January, February and March 1998*, documents S/1998/90 and S/1998/194; and *ibid.*, *Supplement for April, May and June 1998*, document S/1998/477.

¹¹ *Ibid.*, ____.

¹² *Ibid.*, ____.

¹³ *Ibid.*, ____.

¹⁴ *Ibid.*, ____.

¹⁵ A/54/466.

(c) The widespread use of the death penalty in disregard of the provisions of the International Covenant on Civil and Political Rights² and the United Nations safeguards;

(d) Summary and arbitrary executions, including political killings and the continued so-called clean-out of prisons, as well as enforced or involuntary disappearances, routinely practised arbitrary arrests and detention, and consistent and routine failure to respect due process and the rule of law, for example the execution of delinquents for minor property offences and customs violations;

(e) Widespread, systematic torture and the enactment and implementation of decrees prescribing cruel and inhuman punishment as a penalty for offences;

3. *Calls upon* the Government of Iraq:

(a) To abide by its freely undertaken obligations under international human rights treaties and international humanitarian law and respect and ensure the rights of all individuals, irrespective of their origin, ethnicity, gender or religion, within its territory and subject to its jurisdiction;

(b) To bring the actions of its military and security forces into conformity with the standards of international law, in particular those of the International Covenant on Civil and Political Rights;

(c) To cooperate with United Nations human rights mechanisms, in particular by receiving a return visit by the Special Rapporteur to Iraq and allowing the stationing of human rights monitors throughout Iraq pursuant to the relevant resolutions of the General Assembly and the Commission on Human Rights;

(d) To establish independence of the judiciary and abrogate all laws granting impunity to specified forces or persons killing or injuring individuals for any purpose beyond the administration of justice under the rule of law as prescribed by international standards;

(e) To abrogate all decrees that prescribe cruel and inhuman punishment or treatment, including mutilation, and to ensure that torture and cruel punishment and treatment no longer occur;

(f) To abrogate all laws and procedures, including Revolution Command Council Decree No. 840 of 4 November 1986, that penalize free expression, and to ensure that the genuine will of the people shall be the basis of authority of the State;

(g) To respect the rights of all ethnic and religious groups and to cease immediately its repressive practices, aimed at the Iraqi Kurds, Assyrians and Turkmen, in particular their deportation from the regions of Kirkouk and Khanakin and against the population of the southern marsh areas, where drainage projects have provoked environmental destruction and a deterioration of the situation of the civilian population, and to ensure the personal integrity and freedoms, including the full freedom of belief, of the Shi'a and their religious establishment;

(h) To cooperate with the Tripartite Commission to establish the whereabouts and resolve the fate of the remaining several hundred missing persons, including prisoners of war, Kuwaiti nationals and third country nationals, victims of the illegal Iraqi occupation of Kuwait, to cooperate with the Working Group on Enforced or Involuntary Disappearances of the Commission on Human Rights for that purpose, and to pay compensation to the families of those who died or disappeared in the custody of the Iraqi authorities, through the mechanism established by the Security Council in its resolution 692 (1991) of 20 May 1991, and to release immediately all Kuwaitis and nationals of other States who may still be held in detention;

(i) To cooperate fully with international aid agencies and non-governmental organizations to provide humanitarian assistance and monitoring in the northern and southern areas of the country;

(j) To continue to cooperate in the implementation of Security Council resolutions 986 (1995), 1111 (1997), 1143 (1997), 1153 (1998), 1210 (1998), 1242 (1999) and 1266 (1999) to ensure fully the equitable distribution, without discrimination, to the Iraqi population, including in remote areas, of the humanitarian supplies purchased under the oil for food programme and continue to facilitate the work of United Nations humanitarian personnel in Iraq by ensuring the free and unobstructed movement of observers throughout the country;

(k) To cooperate in the identification of minefields existing throughout Iraq with a view to facilitating their marking and eventual clearing;

4. *Decides:*

(a) To request the Secretary-General to provide the Special Rapporteur with all necessary assistance in carrying out his mandate;

(b) To continue the examination of the situation of human rights in Iraq at its fifty-fifth session under the item entitled "Human rights questions", in the light of additional elements provided by the Commission on Human Rights.
